

HOUSE BILL NO. 92

INTRODUCED BY B. OLSON

A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING A MUNICIPALITY OR A CONSOLIDATED GOVERNMENT IN WHICH A CAMPUS OF THE MONTANA UNIVERSITY SYSTEM IS LOCATED TO LEVY A TAX TO SUPPORT THE CAMPUS; EXCLUDING THE COLLEGES OF TECHNOLOGY; ~~AMENDING SECTION 7-6-4431, MCA;~~ AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Municipal OR CONSOLIDATED GOVERNMENT mill levy authorized for postsecondary education -- exception. (1) Subject to 15-10-420 and 15-10-425 AND except as provided in subsection (3) of this section, the governing body of a municipality OR A CONSOLIDATED GOVERNMENT where a campus of the Montana university system is located may levy a tax pursuant to 7-6-4421 ~~and 7-6-4431~~ to support the funding of the campus.

(2) The funds from the mill levy must be deposited in the state general fund and must be distributed ONLY to the credit of the campus of the university system LOCATED WITHIN THE JURISDICTION OF THE GOVERNING BODY AUTHORIZING THE LEVY on the basis of budgets approved by the board of regents.

(3) The authority to levy a tax in subsection (1) does not include a permissive levy to support the colleges of technology located in Helena, Great Falls, Butte, Billings, and Missoula, which are funded through the mandatory county levy pursuant to 20-25-439.

~~Section 2. Section 7-6-4431, MCA, is amended to read:~~

~~"7-6-4431. Authorization to exceed or impose less than maximum mill levy -- election required to exceed. The governing body of a municipality may raise money by taxation for the support of municipal government services, facilities, a campus of the university system pursuant to [section 1], or other capital projects in excess of the levy allowed by 15-10-420 under the following conditions:~~

~~(1) The governing body shall pass a resolution indicating its intent to exceed the current statutory mill levy limit on the approval of a majority of the qualified electors voting in an election under subsection (2). The~~

1 ~~resolution must include:~~

2 ~~—— (a) the specific purpose for which the additional money will be used;~~

3 ~~—— (b) the specific dollar amount to be raised; and~~

4 ~~—— (c) the approximate number of mills required.~~

5 ~~—— (2) The governing body shall submit the question of the additional mill levy to the qualified electors of~~
6 ~~the municipality at an election as provided in 15-10-425. The question may not be submitted more than once~~
7 ~~in any calendar year. If the majority of voters voting on the question is in favor of the additional levy or levies,~~
8 ~~the governing body is authorized to impose the mill levy in the amount specified in the resolution.~~

9 ~~—— (3) An election is not required for a governing body to impose less than the maximum number of mills~~
10 ~~or to carry forward authorization to impose the maximum number of mills in a subsequent tax year as provided~~
11 ~~in 15-10-420(1)(b)."~~

12
13 **NEW SECTION. Section 2. Codification instruction.** [Section 1] is intended to be codified as an
14 integral part of Title 20 7, chapter 25 6, part 4 44, and the provisions of Title 20 7, chapter 25 6, part 4 44, apply
15 to [section 1].

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17 **NEW SECTION. Section 3. Effective date -- applicability.** [This act] is effective on passage and
18 approval and applies to a levy imposed on or after [the effective date of this act].

19 - END -